



QUEENSLAND COUNCIL FOR CIVIL LIBERTIES

Protecting Queenslanders' individual rights and liberties since 1967

Watching Them While They're Watching You

MEDIA RELEASE

QCCL CONDEMNS RAID ON JOURNALIST

QCCL President Michael Cope said today, "The police raid on the home of journalist Annika Smethurst is yet another in a line of appalling attempts by the Federal Government to close down accountability"

"The Witness K case and the raid some years ago on the staff of ex Senator Conroy are evidence of a developing pattern of attempts to criminalise whistle blowing."

These investigations are justified as a response to a threat to our national security. In this case the report was about a threat to our personal liberty, namely a completely obnoxious proposal by the government to allow the Australian Signals Directorate to spy on Australian citizens.

Evidence from America indicates, that in that country, between 80 to 90% of material that is classified as secret, should never have been classified in the first place. It is hard to imagine the situation is anything but worse in this country, with our long history of obsessive secrecy by government.

Mr Cope says, "What is needed is even greater protection for whistleblowers and journalists."

Where the government seeks to impose a severe sanction such as prison, the government should be required to prove that the leaker lacked an objectively reasonable basis for believing the public interest in disclosure outweighed an identifiable national security harm.

In the case of less serious penalties, the government must be required to show that the leaker lacked an objectively substantial basis for believing the public interest in disclosure outweighed any identifiable national security harm.

Unfortunately, this country does not have the first amendment to protect a journalist who receives a leak. Under US law the government can not block publication of any material unless it could prove that it would "surely" result in "direct, immediate, and irreparable" harm to the nation

"Although the raid was conducted with a warrant and was on the face of it legal, it is critically important that Australians are able to be informed about government action through journalists without the fear of police raids and intimidation tactics" said Mr Cope

For further information contact Michael Cope President QCCL on 07 3223 5939 during office hours and at all times on 0432 847 154

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ENDS